



ZONING BOARD OF APPEALS  
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Questions and Answers Regarding Site Plan Review

Municipal planning varies among cities and towns. Each municipality applies the Massachusetts General Laws as well as its own zoning by-laws. These variations may cause some confusion for people unfamiliar with the by-laws and customs of a particular community.

In Hopedale, site plan review is governed by section 18 of the Hopedale Zoning By-Laws (available online on the Hopedale website). Site plan review begins at the Planning Board and provides other boards, town officials, and residents the opportunity to examine proposals for the development of properties. The review process is essential for understanding the scope of projects and the potential impact on neighborhoods.

While it is always the first stop on the journey for site plan review, the Planning Board is not always the last stop. For example, in cases where a special permit is also required, the Zoning Board of Appeals will also review the site plan -- the last stop in the journey.

The following frequently asked questions and answers are designed to help understand the process in Hopedale. These questions and answers are intended only as a general guide and do not constitute by-laws, rules, or legal advice. Readers should consult section 18 of the Hopedale Zoning By-Laws for more particular details.

**What is site plan review?**

Site plan review provides for a comprehensive analysis of planned uses or structures that may have a significant impact on adjacent property, municipal infrastructure, or resident quality of life.

**What board conducts site plan review?**

The Planning Board is responsible for initiating site plan review. Other boards, however, will follow up on the work of the Planning Board and continue to analyze the site plan. The Planning Board is required to refer copies of the site plan to other town officials including the Board of Health, Conservation Commission, building inspector, Water and Sewer Department, and Highway Department. When a special permit is also required, the Planning

Board is required to submit a report with recommendations to the Zoning Board of Appeals.

#### **When is a site plan required?**

All properties in town are governed by the Hopedale Zoning By-Laws, but site plan review is only required in specific situations.

Site plan review is required in four situations involving new or altered structures: (1) any new structure with at least 6,000 square feet of floor area; (2) any new structure requiring 10 or more parking spaces; (3) any alteration that increases floor area by at least 6,000 square feet; or (4) any alteration that increases parking spaces by at least 10 spaces.

Site plan review is also required in situations involving certain types of proposed developments: (1) historic multiple family development; (2) performance residential development; (3) townhouse development; and (4) adult retirement community.

Site plan review is also required for any property within the Ground Water Protection District.

#### **Who prepares the site plan?**

The site plan must be prepared by a registered professional engineer, registered architect, or registered landscape architect.

#### **What does the site plan contain?**

The site plan is required to contain an extensive amount of information to enable not just town officials, but also residents, the opportunity to examine the proposal and understand the impact on the community.

At a minimum, the site plan must contain the following: (1) property boundaries and location map with north arrow and scale; (2) names of project, owner, and person preparing plan; (3) location of all existing and proposed structures including dimensions, height, and floor area; (4) zoning district; (5) zoning setback lines; (6) location of all existing and proposed roads, railroads, driveways, parking areas, loading areas, sidewalks, fences, and walls; (7) location, height, size, and design of all proposed signage; (8) location, height, size, and design of all lighting; (9) proposed landscaping including the size and type of plant material; (10) location of existing and proposed utility systems such as water, sewer, septic, and storm drainage; (11) existing and proposed topography at 2-foot contour intervals; (12) natural features, water sources, wetlands, and 100-year flood plain; (13) location of earth removal or filling and the volume to be removed; (14) elevations for all exterior facades of proposed structures including the type and color of material to be used;

(15) meets and bounds of all perimeter information; (16) proposed layout and boundaries of all lots related to project; and (17) all lot lines, easements, and street information.

**As a resident, may I participate in site plan review?**

Yes! Your participation in the process is essential. Site plan review considers not only the proposed project but also considers the impact on other properties in town. Without your participation early in the process, site plan review may not fully appreciate the impact on residents.

**What factors are considered in site plan review?**

When approval of a site plan is required, the Planning Board must consider the following factors: (1) conformance with all the provisions of the Hopedale Zoning By-Laws; (2) convenient and safe vehicle and pedestrian movement; (3) adequate parking and loading spaces; (4) minimizing visual intrusion of parking and loading areas from public ways; (5) landscaping measures to screen the appearance of off-street parking areas from abutting properties; (6) visual and noise buffers to minimize encroachment of proposed use on neighboring properties; (7) controlling surface water runoff to minimize impact on neighboring properties and streets and to prevent soil erosion; (8) avoiding contamination of ground water from sewage disposal and handling of hazardous material; (9) protection of adjoining property from excessive noise, smoke, vapors, fumes, dust, glare, etc.; and (10) conformance with state register of historic places.

**How does the town address negative impacts from a proposed project?**

The Planning Board may impose conditions, safeguards, and limitations on time and operations as may be appropriate for the protection of the natural environment, the neighborhood, and the town. Such conditions must be imposed in writing in the site plan approval decision and shall be enforced by the building inspector.

When a special permit is also required, the Planning Board must send these recommended conditions to the Zoning Board of Appeals. The Zoning Board of Appeals will consider whether a special permit shall issue. If a special permit is approved, the Zoning Board must either include the Planning Board's conditions as conditions for the special permit or must explain why the conditions are not included. Note also that the Zoning Board of Appeals may include conditions of its own.